Case No :CM Appl.(WP) 188/2013

Party Name : SRI DILIP ROY Vs STATE OF TRIPURA &3 ORS.

HON''BLE MR JUSTICE S.C.DAS

Heard learned Sr. counsel, Mr. B. Das assisted by learned counsel, Mr. D. Chakraborty for the petitioner and learned Addl. G.A. Mrs. A. S. Lodh for the State respondent. It is submitted by learned Sr. counsel, Mr. D. Das that on last 05.06.2013, the date fixed for hearing of the case, learned counsel with his junior was out of the State for the purpose of treatment with intimation to this Court. The case was however listed and nobody was present before court and therefore, the case has been dismissed for non prosecution. It is submitted that the petitioner has a good case to argue before the Court and if the case is not restored, the petitioner will suffer irreparable loss. Learned Addl. G.A. Mrs. A. S. Lodh has no objection if the case is restored to its file for hearing. In view of the submission of learned counsels of both sides, prayer for restoration of the case i.e. WP(C) 154 of 2003 is allowed. Order dated 05.06.2013 passed in the writ petition is set aside and is restored to file. The CM application is disposed of accordingly.